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Alexander G. Malyshev

Partner
malyshev@clm.com

28 Liberty Street, 41st Floor
New York, NY 10005
D / 212-238-8618

November 5, 2024

VIA ECF FILING

Hon. Valerie E. Caproni, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Courtroom 443
New York, NY 10007

MEMO ENDORSED

Re: *Greentree Financial Group, Inc. v. Chijet Motor Company, Inc. and Equiniti Trust Company, LLC*, Case No. 1:24-cv-006415-VEC

Dear Judge Caproni:

This firm represents Defendants Equiniti Trust Company, LLC (“Equiniti”) and Chijet Motor Company, Inc. (“Chijet”, and collectively, the “Defendants”) in the above referenced matter. We write to request an adjournment of the Initial Pretrial Conference, currently scheduled for November 15, 2024, as well as the November 7, 2024 deadline for the parties to submit a joint letter, the requirement that the parties submit a joint proposed civil case management plan and scheduling order, and any other initial pretrial deadlines set by this Court’s August 28, 2024 Order. (ECF No. 7). We ask that the Initial Pretrial Conference be adjourned to January 28, 2025 (or thereafter at the Court’s convenience), after Chijet’s current deadline to respond to the complaint on January 21, 2025.¹

This is the first request for an adjournment of these dates and deadlines. The reason for the requested adjournment is that neither of the Defendants have answered the Complaint, in this or the related three pending actions.² We have filed a motion to dismiss on behalf of Equiniti the only claim against it, and the motion is still in the briefing stage. (ECF No. 15). Since Chijet recently executed waivers of service of the Complaint in the related federal action (and stipulated to an equivalent answering time in the state action), we have been communicating with our client located in China concerning potential defenses and considering whether to answer or file a motion

¹ Chijet, which is located outside of the United States, recently executed a waiver of service of the Complaint. (ECF No. 18).

² Two nearly identical actions are pending before the Hon. Vernon S. Broderick: *Safety Shot Inc. v. Chijet Motor Company, Inc. and Equiniti Trust Company, LLC*, Case No. 1:24-cv-006420-VSB, and *L&H, Inc. v. Chijet Motor Company, Inc. and Equiniti Trust Company, LLC*, Case No. 1:24-cv-006425-VSB. Equiniti and the plaintiffs in those actions filed statements of relatedness to have them transferred to Your Honor. A third action is pending in the New York State Supreme Court: *Kim Chung Wong v. Chijet Motor Company, Inc. and Equiniti Trust Company, LLC*, N.Y. Co. Sup. Ct. Index No. 654555/2024.

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to dismiss. Before setting out on discovery, we need to establish which defenses will actually be asserted.

Additionally, before beginning discovery in each of these actions, each of the parties will require additional time to consult with their clients, review documents, and confer with one another in order to prepare to submit the contemplated filings.

Given the early procedural posture of this case and that the parties are coordinating across multiple litigations, it would conserve the parties' and the Court's resources to adjourn the Initial Pretrial Conference until January 28, 2025, after Chijet files its answer or motion on January 21, 2025.

We have reached out to counsel for Plaintiff, who consent to this request. We thank the Court for its anticipated courtesy.

Respectfully submitted,

/s/ Alexander G. Malyshev

Alexander G. Malyshev

Cc: All Counsel of Record by NYSCEF Filing

Application GRANTED. The Initial Pretrial Conference scheduled for Friday, November 15, 2024, is ADJOURNED to **Friday, January 31, 2025, at 10:00 A.M.** The parties' deadline to submit a joint letter and proposed civil case management plan is extended from Thursday, November 7, 2024, to **Thursday, January 23, 2025.**

SO ORDERED.



11/6/2024

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE